



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

BRUNETT et al.

Serial No.: 09/923,910

Filed: 08/06/2001

Atty. Docket No.: 3123-311


For: "METHOD AND APPARATUS
FOR DATA STORAGE IN A DISK
DRIVE"

Group Art Unit: 2651

Examiner: Olson, Jason C.

**COMMENTS TO STATEMENT OF
REASONS FOR ALLOWANCE**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
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ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O.
BOX 1450, ALEXANDRIA, VA 22313-1450, ON THIS 26th
DAY OF April, 2005.


Tejpal S. Hansra

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

These comments are being filed in response to the Examiner's Statement of Reasons for
Allowance mailed January 26, 2005. Reconsideration is respectfully requested.

REMARKS

A Notice of Allowance was mailed on January 26, 2005. Among other things, the Notice of Allowance included an Examiner's Statement of Reasons for Allowance. These comments are being filed in response to the Examiner's Statement of Reasons for Allowance.

In the Examiner's Statement of Reasons for Allowance, the Examiner grouped certain independent claims together in connection with identifying the distinguishing elements of the claims. In doing so, the Examiner quoted from one independent claim within each group.

For example, the Examiner grouped Claims 1, 20, 54 and 56 together. In identifying the distinguishing elements of such claims, the Examiner quoted the non-preamble portion of Claim 20. Applicants note that Claims 1, 54 and 56 do not use language that is identical to Claim 20. Accordingly, Applicants submit that the Examiner should have quoted each of the independent claims, rather than grouping the claims and quoting the non-preamble portion of only one of the claims. Furthermore, Applicants note that the quoted portion of Claim 20 requires an interface, while Claims 54 and 56 do not recite an interface.

As another example, the Examiner grouped Claims 18, 37, 55 and 57 together. In identifying the distinguishing elements of such claims, the Examiner quoted the non-preamble portion of Claim 37. Claims 18, 55 and 57 do not use language that is identical to Claim 37. Therefore, the Examiner should have quoted each of the independent claims, rather than grouping the claims and quoting the non-preamble portion of only one of the claims. Furthermore, Applicants note that the quoted portion of Claim 37 requires an interface, while Claims 18, 55 and 57 do not recite an interface.

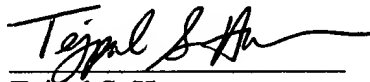
Similar arguments apply with respect to the grouping of Claims 38 and 46, the grouping of Claims 39 and 47, and the grouping of Claims 45 and 53. Applicants submit that the Examiner should have quoted each of these independent claims, rather than selecting one claim from each of the groups.

Finally, the Examiner failed to make mention of any of the distinguishing elements of the dependent claims.

Applicants believe that no fees are due. Nevertheless, the Commissioner is hereby authorized to charge Deposit Account No. 50-2198 for any fee deficiencies associated with filing this paper.

The Examiner is invited to contact the undersigned at the below-listed telephone number regarding any matters relating to the present application.

Respectfully submitted,



Tejpal S. Hansra
Registration No. 38,172
Hansra Patent Services
4525 Glen Meadows Place
Bellingham, WA 98226
(360) 527-1400

Date: APRIL 26, 2005